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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/039,970	12/31/2001	John E. Gozum	56855US002	8629

32692 7590 10/03/2003

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EXAMINER

TRUONG, BAO Q

ART UNIT	PAPER NUMBER
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2875

DATE MAILED: 10/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

AA

Office Action Summary	Application No. 10/039,970	Applicant(s) GOZUM ET AL.	
	Examiner Bao Q. Truong	Art Unit 2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on 10 July 2003.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1-17 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1-17 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some * c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>7</u> .	6) <input type="checkbox"/> Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see page 3 and 4, filed 10 July 2003, with respect to the rejection(s) of claim(s) 1-18 under Reid et al. [US 6,267,492] have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Freier et al. [US 6,301,418].

The applicant cancels claim 17 on page 3. However, the cancellation of claim 17 should be cited in the clean version of the claim not in the marked up version.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "a jacket layer" in claim 17 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-5 and 8-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Freier et al. [US 6,301,418]

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention “by another,” or by an appropriate showing under 37 CFR 1.131.

Regarding claim 1, Freier et al. disclose a light source [116], a light fiber [100] including an elongate polymeric core [102], a light-emitting region [118], an optical element [108] and a continuous outer cladding layer [104] (figures 1, 3, 5B, 6 and 7, column 3 lines 50-57, column 4 lines 62-67, column 5 lines 25-34).

Regarding claim 2, Freier et al. disclose a series of two optical elements [108, 111] (figure 5B).

Regarding claim 3, Freier et al. disclose the length of the light-emitting region [118] being less than the total length of the light fiber [100] (figure 5B, 7 and 10).

Regarding claims 4 and 5, Freier et al. disclose the light-emitting region 118] of the light fiber [100] with a lateral angular distribution of less than 180 degrees (figures 3 and 7).

Regarding claim 8, Freier et al. disclose the light fiber [100] emitting light from both the out put end and the light-emitting region (figures 3, 5A and 6).

Regarding claim 9, Freier et al. disclose the light source [116] being a flashlight (column 6 lines 32-45).

Regarding claim 10, Freier et al. disclose the continuous outer cladding [104] comprising FEP (column 7 lines 49-55).

Regarding claims 11 and 12, Freier et al. disclose at least three optical elements [108, 111] regularly or irregularly spaced (figures 4 and 5, column 5 lines 65-67, column 6 lines 1-7).

Regarding claims 13 and 14, Freier et al. disclose the depth of the optical elements being varied (figures 3, 4B, 5B, 8 and 9, column 5 lines 65-67, column 6 lines 1-7).

Regarding claim 15, Freier et al. disclose the light fiber [102] having a diameter of 12 mm (column 7 lines 28-31).

Regarding claim 16, Freier et al. disclose the outer cladding layer [104] having a thickness of 0.8 mm (column 8 lines 45-48).

Regarding claim 17, Freier et al. disclose a jacket layer (column 8 lines 38-40).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Freier et al. in view of Reid et al. [US 6,267,492].

Regarding claims 6 and 7, Freier et al. do not disclose the light fiber being rotatable detachably connected to the light source.

Reid et al. teach the use of the light fiber [20] being rotatable detachably connected to the light source [10] for an assembly-illuminated device (figures 1 and 7).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to use the light fiber being rotatable detachably connected to the light source for an assembly-illuminated device as taught by Reid et al. for purpose of providing an advantageous way of making the assembly-illuminated device.

7. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Freier et al. in view of Lundin et al. [US 5,845,038].

Freier et al. do not disclose the optical elements comprising the reflection surface inclined at an angle from 10 to 80 degrees to the plane normal to the longitudinal axis of the core.

Lundin et al. teach the use of reflective surfaces [32, 34] on an optical element [30] of an optic fiber [20] having an inclined angle of 52.5 degrees (figures 4, 6 and 7, column 5 lines 8-20, column 9 lines 20-27, column 11 lines 25-50, column 12 lines 59-61).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to use the reflective surfaces on the optical element as taught by Lundin et al. to reflect more light downwardly for purpose of providing a wider illumination.

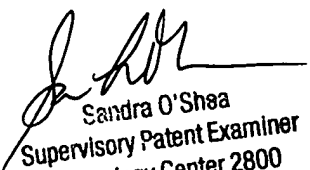
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bao Q. Truong whose telephone number is (703) 308-6452. The examiner can normally be reached on Monday-Friday (8:00 AM - 4:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra L. O'Shea can be reached on (703) 305-4939. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308 0956.

Bao Q. Truong
Examiner
Art Unit 2875


Sandra O'Shea
Supervisory Patent Examiner
Technology Center 2800

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